

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **Patricia Patrick-Cato v Norman A Wenglikowski**

Docket No. **280503**

L.C. No. **05-519305-NI**

Brian K. Zahra, Judge, acting under MCR 7.211(E)(2), orders:

The motion to strike is GRANTED TO THE EXTENT that the affidavit that is appended to appellants' reply brief as Exhibit A is STRICKEN. The affidavit is stricken because it is an impermissible expansion of the record on appeal. See MCR 7.210(A)(1) and *Coburn v Coburn*, 230 Mich App 118, 122-123; 583 NW2d 490 (1998), rev'd on other grounds, 459 Mich 874, 875 (1998). The Clerk is directed to remove the affidavit from appellants' reply brief and replace it with a copy of this order.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

NOV - 6 2008  
Date

*Sandra Schultz Mengel*  
Chief Clerk